

## Order Implementing Docket Control Order

IT IS ORDERED that all parties shall comply with the following orders regarding the implementation of the Docket Control Order and the preparation for trial.

1. All parties are responsible for reviewing the proposed local rules for this court. See web site for the 306<sup>th</sup> or obtain a copy from the Galveston County Law Library or the Court.

2. Parenting Classes (Local Rule 4.53)

There are a number of acceptable parenting classes. The class must last at least 4 hours. You may register for "For Kids Sake" through the Galveston County Law Library. You are required to attend this class even if you attended the class due to prior litigation. Waiver of attendance may only be granted on proper motion and court order. Failure to take the class in accordance with the terms of the DCO may result in fines, continuance of the case setting or other sanction allowed by rules or law.

3. Mediation (Local Rule 4.54)

Mediation is required! If mediation has not occurred by the pretrial conference, fines will be imposed. If it is proven that one party refused to cooperate in scheduling the mediation or refused to attend, the uncooperative party may be forced to bear the entire cost of mediation – in addition to fines, etc. If you have not mediated prior to your trial date, on-call mediation will be scheduled for that date and time and you may lose your trial date.

4. Experts

If experts aren't properly and timely designated, they will not be allowed to testify. Experts that are not revealed through discovery requests will not be allowed to testify.

5. Discovery

If discovery is propounded, then discovery responses shall be in accordance with TRCP. Discovery must be completed by the discovery deadline. You may not propound discovery after the DCO deadline without good cause and leave of court. Motions to Compel must be filed and heard prior to the pretrial conference.

As per the proposed local rule 4.14.B, each party shall produce, without the necessity of a discovery request, the following: Financial Information Sheet (local rule 4.13), most recent statement of retirement, IRA/401K, bank accounts, credit union accounts, brokerage accounts and savings accounts, credit card statements, loan or debt statement, child support calculation (if applicable), request for relief and proposed property division (proposed local rule 4.16)

6. Inventory

Such filing shall be in accordance with the proposed local rules. Inventories shall be sworn to by the filing party. Failure to timely file the inventory could result in dismissal of the case.

7. Amendments, etc.

All amendments to pleadings and other documents required in the proposed local rules 4.14B shall be tendered by this date. Failure to timely amend pleadings may result in such amendment being stricken. Failure to timely exchange the items delineated in the proposed local rule 4.14 B and #5 above could result in the non-

complying party not being allowed to produce evidence or witnesses to contradict the information provided by the complying party. Additionally, the non-complying party will be subject to fines and any other sanction allowed by law.

8. Exchange of Proposed Charge

Each party shall submit any issue that they wish submitted to the jury by the date set forth in the DCO. Failure to exchange proposed jury questions, instructions and definitions by this date may result in that issue NOT being given to the jury.

9. Pretrial Conference

- a. Attendance by counsel at pretrial conference is mandatory unless both sides affirm, in writing, that all pretrial matters have been resolved: witness lists exchanged, exhibits pre-marked and exchanged, that there is no discovery-related objection to document evidence or witness; mediation has occurred, proposed local rule 4.14B has been complied with and parenting seminar completed, etc.
- b. Each party shall pre-mark all exhibits and bring a copy for the other side. If you do not exchange exhibits at this time, such exhibits will NOT be allowed to be tendered at trial. Rebuttal evidence is an exception to this rule.
- c. Each party shall prepare a witness list and bring a copy for the other side. If you do not have a witness list, you may not call any witnesses other than parties. Rebuttal witnesses are exceptions to this rule.
- d. All discovery related objections to exhibits and witnesses must be made at the pretrial conference or they will be waived.
- e. All pretrial motions (limine, Daubert, etc.) must be made at the pretrial conference or they will be waived.
- f. You must bring the completed pretrial checklist to the pretrial conference.
- g. Parties are encouraged to make all stipulations regarding admission of exhibits and partial agreements at the pretrial conference.

10. Final Hearing

- a. With a bench trial, generally you will receive two settings: if you are set #2, you are still expected to be ready to go forward at that trial setting, if reached.
- b. With a jury trial, generally, you will receive multiple settings, culminating in a #1 setting. You are expected to be ready to go forward at any of the settings – regardless of the setting number.

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JANIS L. YARBROUGH, JUDGE